

DEC 11 2006



RiverPark Towers  
333 West San Carlos Street  
Suite 600  
San Jose, CA 95110  
Direct Tel: (408) 975-7994  
Facsimile: (408) 975-7501  
[jjoseph@kenyon.com](mailto:jjoseph@kenyon.com)

## FACSIMILE TRANSMITTAL SHEET

|                        |                                     |
|------------------------|-------------------------------------|
| TO:                    | FROM:                               |
| Examiner: Tianjie CHEN | Jeffrey R. Joseph                   |
| COMPANY:               | DATE:                               |
| USPTO                  | December 11, 2006                   |
| FAX NUMBER:            | TOTAL NO. OF PAGES INCLUDING COVER: |
| (571) 273-8300         | 13                                  |
| PHONE NUMBER:          | SENDER'S REFERENCE NUMBER:          |
|                        | 2855/97                             |
| RE:                    | YOUR REFERENCE NUMBER:              |
| Serial No.: 10/614,217 | Group Art Unit: 2627                |

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ CONFIRMATION  
☐ ORIGINAL WILL FOLLOW ☒ ORIGINAL WILL NOT FOLLOW

Notes/Comments: AMENDMENT AND REQUEST FOR RCE

1. Fax Cover Sheet (1)
  2. RCE Transmittal (and one copy) (2)
  3. RCE Fee Transmittal (and one copy) (2)
  4. Amendment and Request for RCE (8)
- Total: (13) pages

Certificate of Facsimile Transmittal

I hereby certify that the above referenced correspondence is being transmitted via facsimile under 37 C.F.R. §1.11 to Examiner: Tianjie CHEN at facsimile number: (571) 273-8300 at the United States Patent and Trademark Office.

Dated: December 11, 2006Signature: Barbara Vance

Barbara Vance

**CONFIDENTIALITY NOTICE:** THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION, INCLUDING ANY ATTACHMENTS, IS SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE, THE ATTORNEY WORK PRODUCT PRIVILEGE OR IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INTENDED RECIPIENT. IF THE READER OF THIS NOTICE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS TRANSMISSION TO THE INTENDED RECIPIENT, WE HEREBY NOTIFY YOU THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF ALL OR PART OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (408) 975-7500 OR FACSIMILE (408) 975-7501, SO THAT WE MAY ARRANGE FOR ITS RETURN OR DESTRUCTION AT OUR COST. THANK YOU.

DEC-11-2006 15:04

KENYON KENYON

DEC 11 2006

14089757501 P.04

Approved for use through 07/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 790.00

### Complete If Known

Application Number **10/614,217**  
Filing Date **July 8, 2003**  
First Named Inventor **Ellis T. Cha**  
Examiner Name **Tianjie CHEN**  
Art Unit **2627**  
Attorney Docket No. **2855/97**

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit Account Number **11-0600**

Deposit Account Name **Kenyon & Kenyon LLP**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

| Large Entity        |          | Small Entity |          | Fee Description        | Fee Paid      |
|---------------------|----------|--------------|----------|------------------------|---------------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |                        |               |
| 1001                | 790      | 2001         | 395      | Utility filing fee     |               |
| 1002                | 350      | 2002         | 175      | Design filing fee      |               |
| 1003                | 550      | 2003         | 275      | Plant filing fee       |               |
| 1004                | 790      | 2004         | 395      | Reissue filing fee     |               |
| 1005                | 180      | 2005         | 80       | Provisional filing fee |               |
| <b>SUBTOTAL (1)</b> |          |              |          |                        | <b>(\$)</b> 0 |

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       |  | Extra Claims | Fee from below  | Fee Paid |
|--------------------|--|--------------|-----------------|----------|
|                    |  |              |                 |          |
| Independent Claims |  |              | X <b>50.00</b>  |          |
| Multiple Dependent |  |              | X <b>200.00</b> |          |
|                    |  |              | X               |          |

| Large Entity        |          | Small Entity |          | Fee Description   | Fee Paid    |
|---------------------|----------|--------------|----------|---|-------------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |   |             |
| 1202                | 50       | 2202         | 25       | Claims in excess of 20                                  |             |
| 1201                | 200      | 2201         | 100      | Independent claims in excess of 3                       |             |
| 1203                | 360      | 2203         | 180      | Multiple dependent claim, if not paid                   |             |
| 1204                | 200      | 2204         | 100      | Reissue independent claims over original patent         |             |
| 1205                | 50       | 2205         | 25       | Reissue claims in excess of 20 and over original patent |             |
| <b>SUBTOTAL (2)</b> |          |              |          |   | <b>(\$)</b> |

\*or number previously paid, if greater. For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 120      | 2251         | 60       | Extension for reply within first month                                     |          |
| 1252         | 450      | 2252         | 225      | Extension for reply within second month                                    |          |
| 1253         | 1,020    | 2253         | 510      | Extension for reply within third month                                     |          |
| 1254         | 1,590    | 2254         | 795      | Extension for reply within fourth month                                    |          |
| 1255         | 2,160    | 2255         | 1,080    | Extension for reply within fifth month                                     |          |
| 1401         | 500      | 2401         | 250      | Notice of Appeal   |          |
| 1402         | 500      | 2402         | 250      | Filing a brief in support of an appeal                                     |          |
| 1403         | 1,000    | 2403         | 500      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 500      | 2452         | 250      | Petition to revive - unavoidable   |          |
| 1453         | 1,500    | 2453         | 750      | Petition to revive - unintentional   |          |
| 1501         | 1,400    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502         | 490      | 2502         | 245      | Design issue fee   |          |
| 1503         | 660      | 2503         | 330      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1808         | 180      | 1808         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 790      | 2801         | 385      | Request for Continued Examination (RCE)                                    | 790.00   |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** **(\$)** 790.00

### SUBMITTED BY

Name (Print/Type) **Jeffrey R. Joseph**

Registration No. (Attorney/Agent)

**54,204**

Telephone

**(408) 975-7500**

Signature

*Jeffrey R. Joseph*

Date

**December 11, 2006**

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2034.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 790.00**Complete if Known**

|                      |              |  |
|----------------------|--------------|--|
| Application Number   | 10/614,217   | <b>RECEIVED<br/>CENTRAL FAX CENTER<br/>DEC 11 2006</b> |
| Filing Date          | July 8, 2003 |  |
| First Named Inventor | Ellis T. Cha |  |
| Examiner Name        | Tianjie CHEN |  |
| Art Unit             | 2627         |  |
| Attorney Docket No.  | 2855/97      |  |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None Order☒ Deposit Account:Deposit Account Number  
11-0600Deposit Account Name  
Kenyon & Kenyon LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 180      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims              |  | Extra Claims |  | Fee from below |        | Fee Paid |
|---------------------------|--|--------------|--|----------------|--------|----------|
|                           |  |              |  |                |        |          |
| Independent Claims        |  |              |  | X              | 50.00  |          |
| Multiple Dependent Claims |  |              |  | X              | 200.00 |          |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1202         | 50       | 2202         | 25       | Claims in excess of 20                                     |          |
| 1201         | 200      | 2201         | 100      | Independent claims in excess of 3                          |          |
| 1203         | 380      | 2203         | 180      | Multiple dependent claim, if not paid                      |          |
| 1204         | 200      | 2204         | 100      | ** Reissue independent claims over original patent         |          |
| 1205         | 50       | 2205         | 25       | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 2053         | 65       | Non-English specification  |          |
| 1812         | 2,520    | 2812         | 1,260    | For filing a request for ex parte reexamination                            |          |
| 1804         | 920*     | 2804         | 460*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 2805         | 920*     | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 120      | 2251         | 60       | Extension for reply within first month                                     |          |
| 1252         | 450      | 2252         | 225      | Extension for reply within second month                                    |          |
| 1253         | 1,020    | 2253         | 510      | Extension for reply within third month                                     |          |
| 1254         | 1,590    | 2254         | 795      | Extension for reply within fourth month                                    |          |
| 1255         | 2,160    | 2255         | 1,080    | Extension for reply within fifth month                                     |          |
| 1401         | 500      | 2401         | 250      | Notice of Appeal   |          |
| 1402         | 500      | 2402         | 250      | Filing a brief in support of an appeal                                     |          |
| 1403         | 1,000    | 2403         | 500      | Request for oral hearing   |          |
| 1451         | 1,510    | 2451         | 755      | Petition to institute a public use proceeding                              |          |
| 1452         | 500      | 2452         | 250      | Petition to revive - unavoidable   |          |
| 1453         | 1,500    | 2453         | 750      | Petition to revive - unintentional   |          |
| 1501         | 1,400    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502         | 490      | 2502         | 245      | Design issue fee   |          |
| 1503         | 680      | 2503         | 340      | Plant issue fee  |          |
| 1460         | 130      | 2460         | 65       | Petitions to the Commissioner  |          |
| 1807         | 50       | 2807         | 25       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1808         | 180      | 2808         | 90       | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 28021        | 20       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    | 790.00   |
| 1802         | 900      | 2802         | 450      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

790.00

**SUBMITTED BY****Complete if applicable**

|                   |                          |                                   |                   |           |                |
|-------------------|--------------------------|-----------------------------------|-------------------|-----------|----------------|
| Name (Print/Type) | Jeffrey R. Joseph        | Registration No. (Attorney/Agent) | 54,204            | Telephone | (408) 975-7500 |
| Signature         | <i>Jeffrey R. Joseph</i> | Date                              | December 11, 2006 |           |                |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.